

SPECIAL SESSION

JOURNAL OF THE FLORIDA SENATE

Monday, June 21, 1971

The Senate was called to order by the President at 11:00 a.m.
A quorum present—43:

Mr. President	de la Parte	Karl	Reuter
Arnold	Ducker	Knopke	Saunders
Barrow	Fincher	Lane	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brantley	Henderson	Myers	Ware
Broxson	Hollahan	Ott	Weissenborn
Childers	Horne	Plante	Williams
Daniel	Johnson (29th)	Pope	Wilson
Deeb	Johnson (34th)	Poston	

Excused: Senator Haverfield until 4:15 p.m., Senator Barron until 2 p.m., Senators Weber, Bell and Brannen.

Prayer by Senator Lewis (43rd):

Our Heavenly Father, as we enter into our last week of deliberations, we recognize that we must make many decisions, not all of which will be easy. Help us to understand that we shall need compromises, but let them be compromises of issues, not of principles. Grant us the understanding to compromise our political positions without compromising ourselves. Let us resolve the clash of interests without conceding our ideals. Above all, let us remember always that we are not alone, that thou art with us for the strength and guidance that we need. Amen.

The Senate pledged allegiance to the flag of the United States of America.

The Journal of June 18 was corrected and approved as follows:

Page 58, counting from the bottom of column 2, between lines 3 and 4 insert:

On motion by Senator Hollahan, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

June 18, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee report as an entirety on—

By the Committee on Ways and Means—

SB 13-C—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1971, and ending June 30, 1972, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

and pursuant thereto, has passed SB 13-C as amended by the Conference Committee amendment.

(Conference Committee amendment attached to original bill.)

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

SB 13-C, contained in the above message, was ordered engrossed.

By permission, the following reports were received:

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred SB 13-C with 1 amendment reports that the conference committee amendment has been incorporated and the bill is returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bill was ordered enrolled.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred SB 13-C reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on June 18, 1971.

ELMER O. FRIDAY
Secretary of the Senate

REPORTS OF COMMITTEE

The Committee on Rules, Calendar, Privileged Business and Ethics advises:

1. The following bills do not appear to be within the purview of the call of the Governor:

HB 43-C	HB 59-C	HB 48-C	HB 61-C
HB 47-C	HB 60-C	HB 57-C	HB 64-C

2. That the said bills are local in nature and, if admitted, could thereupon be placed upon the Calendar of local bills.

Respectfully submitted,
Senator George L. Hollahan, Jr.
Chairman

On motion by Senator Trask, by two-thirds vote, the staff of the Committee on Ways and Means was granted privileges of the floor.

INTRODUCTION

On motions by Senator Bishop, Senate Concurrent Resolutions 48-C and 49-C were admitted for introduction and consideration by the required two-thirds vote of the membership of the Senate.

By Senator Bishop—

SCR 48-C—A concurrent resolution expressing the Legislature's regret at the passing of J. W. McAlpin.

WHEREAS, the Legislature has learned with deep regret of the passing of J. W. McAlpin, Speaker pro tempore of the 1951 House of Representatives, and

WHEREAS, Mr. McAlpin had served ten consecutive terms in the House from Hamilton County, commencing in 1945, and

WHEREAS, Mr. McAlpin took a significant part in the development of the Stephen Foster Memorial on the Suwannee river as a national shrine to the composer and as a Florida tourist attraction, and

WHEREAS, Mr. McAlpin shouldered the difficult task of staffing the House of Representatives for its sessions, serving as Chairman of the Committee on Personnel or House Management for seven sessions and Vice Chairman for two, and

WHEREAS, Mr. McAlpin was born October 17, 1900, at White Springs, Florida; attended the College of Agriculture at the University of Florida; served as a member of the Hamilton County School Board, and was a farmer, cattleman and vocational teacher, and

WHEREAS, Mr. McAlpin is remembered as a fair-minded legislator, a courteous public official, and a gentleman with a statewide circle of friends, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

1. That the death of J. W. McAlpin on October 9, 1970, was a loss not only to his family and friends and to the people of Hamilton County but to Floridians generally, and

2. That the Legislature does express its regret and convey that expression to his widow, the former Miss Elizabeth Cone, and to their daughter, Mrs. Maines F. Finley, through this Resolution, and

3. That the Legislature request the Secretary of State to send Mrs. McAlpin and Mrs. Finley authenticated copies of this Resolution signed by the appropriate officers.

Was read the first time in full. On motion by Senator Bishop, by two-thirds vote, SCR 48-C was read the second time by title, adopted, and certified to the House. The vote was: Yeas—44 Nays—None

Mr. President	de la Parte	Johnson (34th)	Poston
Arnold	Ducker	Karl	Reuter
Barrow	Fincher	Knopke	Saunders
Beaufort	Gong	Lane	Saylor
Bishop	Graham	Lewis (33rd)	Scarborough
Boyd	Gunter	Lewis (43rd)	Stolzenburg
Brantley	Haverfield	McClain	Trask
Broxson	Henderson	Myers	Ware
Childers	Hollahan	Ott	Weissenborn
Daniel	Horne	Plante	Williams
Deeb	Johnson (29th)	Pope	Wilson

By Senator Saunders—

SCR 49-C—A concurrent resolution of regret over the passing of former Representative Will Yearty of Levy County.

WHEREAS, the Senate of the State of Florida has learned with deep regret of the death of a former House Member Will S. Yearty of Levy County, on March 12, 1971, at the age of 93, and

WHEREAS, Representative Yearty served during the regular and special sessions of 1931 as member of the Committees on Commerce & Navigation, Domestic Relations, Expenses of Executive Department, Fisheries, Public Roads & Highways, and Engrossed Bills, and

WHEREAS, Representative Yearty introduced legislation demonstrating his awareness of the financial crisis then besetting Florida, including bills to reduce the number of judicial districts, to reduce the salaries of State officers and employees, and to set qualifications for State employees, and

WHEREAS, Mr. Yearty served his community also as a County Commissioner and as Postmaster of Otter Creek and was active in religious and fraternal affairs including charter membership in the Otter Creek Baptist Church and the Otter Creek Masonic Lodge, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Legislature hereby expresses regret over the passing of The Honorable Will S. Yearty to members of his family: three sons, John and Jay of Gulf Hammock and Gordon A. of Fort Smith, Arkansas; three daughters, Mrs. Eugene Overton

of Jacksonville, Mrs. Willie Mae Schibley of Tallahassee, and Mrs. Rubye Sher of Fort Smith, and a brother, Terry of Ocala.

Was read the first time in full. On motion by Senator Saunders, by two-thirds vote, SCR 49-C was read the second time by title, adopted, and certified to the House. The vote was: Yeas—44 Nays—None

Mr. President	de la Parte	Johnson (34th)	Poston
Arnold	Ducker	Karl	Reuter
Barrow	Fincher	Knopke	Saunders
Beaufort	Gong	Lane	Saylor
Bishop	Graham	Lewis (33rd)	Scarborough
Boyd	Gunter	Lewis (43rd)	Stolzenburg
Brantley	Haverfield	McClain	Trask
Broxson	Henderson	Myers	Ware
Childers	Hollahan	Ott	Weissenborn
Daniel	Horne	Plante	Williams
Deeb	Johnson (29th)	Pope	Wilson

MOTION RELATING TO COMMITTEE REFERENCE

On motion by Senator Poston, by two-thirds vote, HB 27-C was withdrawn from the Committee on Ways and Means and placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

June 18, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Appropriations—

HB 71-C—A bill to be entitled An act making supplemental appropriations to the 1971 general appropriations act to provide monies for the minimum foundation program K-12; community colleges; capital outlay grades one (1) through twelve (12); amending item 942 of the 1971 general appropriations act; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 71-C, contained in the above message, was determined by the President to be within the purview of the call of the Governor, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Jerry Thomas
President of the Senate

June 17, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Appropriations—

HB 21-C—A bill to be entitled An act relating to ad valorem taxation; prescribing certain criteria and methods to be used in preparing valuations of property for taxation; providing for physical inspections of property; providing for reassessment of property based on mass data or ratio studies; authorizing studies to determine the appropriate value for the criteria set forth in section 193.011(8), Florida Statutes, in each county; providing a method for fixing millage; amending section 194.015, Florida Statutes, by prescribing membership and duties of the board of tax adjustment; amending subsection 194.181(6), Florida Statutes, by providing that the tax assessor may be a party to tax suits involving the level of the county tax assessment roll; creating sections 200.031, 200.-

041, 200.051, and 200.052, Florida Statutes, to provide that the governing and budget-making authorities of any county, tax district, or other tax levying agency shall decrease the millage required of such county or district in proportion to the increase in the fair market value of the same assessed property; authorizing a ten percent (10%) increase in millage; providing for further millage increases in emergencies subject to limitations and review by the department of revenue; providing for verification of budgets and millage increases; specifying millages to be excluded from the reductions required by this act; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 21-C, contained in the above message, was determined by the President to be within the purview of the call of the Governor, was read the first time by title and referred to the Committees on Rules, Calendar, Privileged Business and Ethics and Ways and Means.

Message was received from the House of Representatives containing HCR 56-C, which was referred to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same was within the purview of the call of the Governor.

SECOND READING

SB 9-C—A bill to be entitled An act relating to taxation; providing for revision of the state, county and municipal license taxes on dealers in alcoholic beverages; repealing section 561.36 and subsection 561.26(2), Florida Statutes; amending subsections 561.34(1), (2), (3), (6) and (7), Florida Statutes; amending section 561.35, Florida Statutes; adding new section 561.342, Florida Statutes, to provide for county and municipal licenses; providing an effective date.

Was taken up, together with pending amendment.

On motion by Senator Trask the following substitute amendment was adopted:

Amendment 3—On page 1, line 15, strike everything after the enacting clause and insert:

Section 1. Subsection 561.26(2), Florida Statutes, relating to the equality of the county license taxes to the state license taxes imposed under the chapter is hereby repealed.

Section 2. Section 561.36, Florida Statutes, relating to municipal license taxes is hereby repealed.

Section 3. Section 561.34, Florida Statutes, is amended to read:

561.34 License fees; vendors.—

(1) Each vendor of malt beverages containing alcohol of more than one per cent by weight shall pay an annual state license tax as follows:

(a) Vendors of malt beverages containing alcohol of more than one per cent by weight fifteen dollars.

(b) In counties that have voted against the sale of intoxicating beverages, vendors of beverages containing alcohol of more than one per cent by weight and not more than three and two-tenths per cent by weight, fifteen dollars.

(c) Vendors of malt beverages containing alcohol of more than one per cent by weight for consumption off the premises only, seven and one-half dollars.

(d) In counties that have voted against the sale of intoxicating beverages, vendors of beverages containing alcohol of more than one per cent by weight and not more than three and two-tenths per cent by weight for consumption off the premises only, seven and one-half dollars.

(2) (a) Vendors of beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight, and wines regardless of alcoholic content, fifty dollars.

(b) Vendors of beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight and wines regardless of alcoholic content, for consumption off the premises only, twenty-five dollars.

(a) Vendors operating places of business where beverages are sold only for consumption off the premises, an amount equal to fifty per cent of the amount of the license tax herein provided for vendors in the same county operating places of business where consumption on the premises is permitted.

(b) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over one hundred thousand, according to the latest state or federal census, two hundred dollars.

(c) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over seventy-five thousand and not over one hundred thousand, according to the latest state or federal census, one hundred sixty dollars.

(d) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over fifty thousand and less than seventy-five thousand, according to the latest state or federal census, one hundred twenty dollars.

(e) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over twenty-five thousand and less than fifty thousand, according to the latest state or federal census, eighty dollars.

(f) Vendors operating places of business where consumption on the premises is permitted in counties having a population of less than twenty-five thousand, according to the latest state or federal census, fifty dollars.

(2) (a) Each vendor Vendors of beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight, and wines regardless of alcoholic content, shall pay an annual state license tax as follows:

(a) Vendors operating places of business where beverages are sold only for consumption off the premises, an amount equal to fifty per cent of the amount of the license tax herein provided for vendors in the same county operating places of business where consumption on the premises is permitted.

(b) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over one hundred thousand, according to the latest state or federal census, two hundred eighty dollars.

(c) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over seventy-five thousand and not over one hundred thousand, according to the latest state or federal census, two hundred forty dollars.

(d) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over fifty thousand and less than seventy-five thousand, according to the latest state or federal census, two hundred dollars.

(e) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over twenty-five thousand and less than fifty thousand, according to the latest state or federal census, one hundred sixty dollars.

(f) Vendors operating places of business where consumption on the premises is permitted in counties having a population of less than twenty-five thousand, according to the latest state or federal census, one hundred fifty dollars.

(3) The following license taxes shall apply to vendors who are permitted to sell any such beverages regardless of alcoholic content:

(a) Vendors operating places of business where beverages are sold only in sealed containers for consumption off the premises where sold, an amount equal to seventy-five per cent of the amount of the license tax herein provided for vendors in

the same county as provided in paragraphs (b), (c), (d), (e) and (f) of this subsection. operating places of business where consumption on the premises is permitted.

(b) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over one hundred thousand, according to the latest state or federal census, *two thousand two hundred ten seven hundred fifty* dollars.

(c) Vendors operating places of business where consumption on the premises is permitted in counties having a population over *seventy-five six* thousand and not over one hundred thousand, according to the latest state or federal census, *one thousand seven hundred seventy six hundred* dollars.

(d) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over *fifty forty* thousand and not over *seventy-five sixty* thousand, according to the latest state or federal census, *one thousand four hundred seventy-five five hundred* dollars.

(e) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over *twenty-five ten* thousand and not over *fifty forty* thousand, according to the latest state or federal census, *eight hundred ninety three hundred* dollars.

(f) Vendors operating places of business where consumption on the premises is permitted in counties having a population of *twenty-five ten* thousand or less, according to the latest state or federal census, *six two hundred* dollars.

(g) Vendors operating places of business where consumption on the premises is permitted and which have three or more separate locations serving alcoholic beverages for consumption on the licensed premises shall pay in addition to the license tax imposed in paragraphs (b), (c), (d), (e), and (f), *one thousand* dollars.

(4) Any operator of railroads or sleeping cars in this state may obtain a license to sell the beverages mentioned in the beverage law on passenger trains on the payment of an annual license tax of *two thousand five hundred two hundred fifty* dollars, said tax to be paid to the division. Such license shall authorize the holder thereof to keep for sale and sell all beverages mentioned in the beverage law upon any dining, club, parlor, buffet or observation car operated by it in this state, but said beverages may be sold only to passengers upon said cars and must be served for consumption thereon. It is unlawful for such licensees to purchase or sell any liquor except in miniature bottles of not more than two ounces. Every such license shall be good throughout the state. No license shall be required or tax levied by any municipality or county for the privilege of selling such beverages for consumption in such cars. Such beverages shall be sold only on cars in which are posted certified copies of the licenses issued to such operator. Such certified copies of such licenses shall be issued by the division upon the payment of a tax of *ten one* dollars.

(5)(a) Operators of steamships and steamship lines, buses and bus lines, airplanes and airlines engaged in interstate commerce or flying between fixed terminals and upon fixed schedules in this state may obtain licenses to sell the beverages mentioned in the beverage law on steamships, buses and airplanes operated by such operators on payment of an annual license tax of *one thousand one hundred* dollars, said tax to be paid to the division. Such licenses shall authorize the holders thereof to keep for sale and sell all beverages mentioned in the beverage law upon any steamship, bus or airplane operated by such operators in this state but said beverages may be sold only to passengers upon such steamships, buses and airplanes and may be served only for consumption thereon. It is unlawful for such licensee to purchase for resale any liquor except in miniature bottles of not more than two ounces or liquor in individual containers of not less than one fifth of one gallon. Such sales shall be permitted only while said steamships, buses and airplanes are in transit and shall not be permitted while such steamships are moored at docks or wharves in ports of this state, or while said buses are at stations, or while airplanes are in airports. Every such license shall be good throughout the state. No license shall be required or tax levied by any municipality or county for the privilege of selling such beverages for consumption on such steamships, buses or airplanes. Such beverages shall be sold only on steamships, buses and airplanes in which are posted certified copies of the li-

cense issued to their operators. Certified copies of such license shall be issued by the division upon payment of a fee of *twenty-five one* dollars for each certified copy; provided, that this paragraph shall not apply to operators of pleasure or excursion boats not having regular round trip runs of more than one hundred miles in each direction, but operators of such pleasure or excursion boats may obtain a license, with such boats being designated as their place of business, upon compliance with all the laws relating to vendors operating places of business where consumption on the premises is permitted; provided further, that no license to sell the beverages herein defined shall be issued to the operator of any boat which applies upon or is anchored upon the waters of any lake within this state.

(b) Operators of railroads, sleeping cars, steamships, buses and airplanes licensed under this section shall not be required to obtain their beverages from licensees under the beverage law, but such operators shall keep strict account of all such beverages sold within this state and shall make monthly reports to the division on the forms prepared and furnished by the division. Said operators are hereby required to pay an excise tax for said beverages sold within this state as to which such excise tax has not theretofore been paid, equal to the tax assessed against manufacturers and distributors. Said operators shall pay said tax monthly to the division at the same time they furnish the reports hereinabove provided for. Said reports shall be filed on or before the fifteenth day of each month for sales for the previous calendar month.

(6) Persons associated together as a chartered or incorporated club, including social clubs incorporated by orders of circuit judges after their charters have been found to be for objects authorized by law and approved by said judges as organized for lawful purposes and not for the purpose of evading license taxes on dealers in beverages defined herein, which such organizations are bona fide clubs, and at the time of application for license hereunder shall have been in continuous active existence and operation for a period of not less than two years in the county where they exist, shall before serving or distributing to their members or nonresident guests the beverages defined herein, whether such service or distribution be made upon contribution to the club of money or by check or other device, pay an annual state license tax ~~taxes~~ of *four hundred dollars*; as follows: To the state ----- \$125.00
To the county ----- \$125.00 provided, that any golf club operated by or on behalf of any incorporated municipality in this state, and any veteran's or fraternal organization of national scope, need not have been, or need not be, in continuous active existence or operation for any required period of time prior to an application for license hereunder. The payment of such club license tax shall authorize the service and distribution to members and nonresident guests of the club only and such service and distribution to said members and nonresident guests shall not be deemed sales within the meaning of the law in this state but any service or distribution to anyone other than a member or nonresident guest of such licensed club shall be deemed a sale and any officer, member or employee of any such licensed club who shall sell or distribute or serve any such beverages to any person other than a member or nonresident guest of such club for money or other value shall be deemed guilty of selling such beverages without a license and shall be punished as provided by law. Any officer of any such club which has not paid such license, who shall knowingly permit such service or distribution by such club of the beverages herein defined to members or nonresident guests of such club shall, upon conviction thereof, be punished as herein provided; provided, that this paragraph shall not apply to clubs organized or used for the purpose of evading the payment of the license tax on vendors of such beverages, but such club shall be subject to the payment of the license tax imposed by the beverage law upon vendors. The president, vice-president, secretary or treasurer or officers of corresponding duties, by any name they may be called, of any club required by this section to pay a license tax, shall be required to see that such license tax shall be paid and in default thereof shall each be personally liable to the punishment provided by the beverage law for nonpayment of the license hereby required; provided, further, that clubs not authorized to obtain licenses under this subsection or which do not obtain license under this subsection may, if they comply with this provision of the beverage law, obtain licenses as vendors. Clubs obtaining such club licenses shall not purchase any beverage herein defined from anyone other than a distributor licensed under the beverage law, nor shall such clubs dispense or serve any bev-

erages defined herein unless such beverages shall have been purchased by such club from such licensed distributor; nor shall they dispense or serve any such beverage on which a tax stamp is required by the beverage law unless the containers of such beverages have affixed to them the stamps required by said law. Such club license cannot be transferred in any manner whatsoever.

(7) Caterers at horse and dog race tracks and jai alai frontons may obtain licenses upon the payment of an annual state license tax of *six hundred and seventy-five two hundred fifty dollars* and an annual county license tax of *two hundred fifty dollars*. Incorporated municipalities may provide for a municipal license tax on such caterers of *fifty per cent of the state and county license tax*, to be deducted from the state and county license tax as provided herein with reference to other municipal license taxes. Such caterers' licenses shall permit sales only within the enclosure wherein such races or jai alai games are conducted and such licensees shall be permitted to sell only during the period beginning ten days before and ending ten days after racing or jai alai under the authority of the state racing commission of the division of pari-mutuel wagering of the department is conducted at such race track or jai alai fronton. Except as in this subsection otherwise provided caterers licensed hereunder shall be treated as vendors licensed to sell by the drink the beverages mentioned herein and shall be subject to all the provisions hereof relating to such vendors.

~~(8)(a) Any person, firm or corporation operating a commercial establishment catering to the public by offering live band music, singers or other form of live entertainment, and which shall, in addition to said live entertainment, permit consumption of alcoholic beverages on the premises and does not hold a valid beverage license of any classification permitting consumption of said alcoholic beverages on said premises, shall pay a license fee of twenty-five dollars per day for each day of operation in addition to any other license fees now required by law. Such licenses herein required shall be issued by the division of beverage for a period of less than thirty days.~~

~~(b) Said premises shall be subject to all general laws and special laws and municipal ordinances regulating the hours of opening and closing as provided for vendors of alcoholic beverages.~~

~~(c) The enforcement of this chapter shall be under the division of beverage and the division is hereby authorized to make such necessary rules and regulations to enforce the provisions hereof.~~

Section 4. Chapter 561, Florida Statutes, is amended by adding new section 561.342 to read:

561.342 County and municipal license tax; caterers, clubs, manufacturers, distributors, exporters and vendors.—

(1) *Twenty-two per cent of the license taxes imposed under section 561.34, subsection (1), (2), (3), (6), (7), and section 561.35 collected within the county shall be returned to the appropriate county tax collector.*

(2) *Thirty-four per cent of the license taxes imposed under section 561.34, subsection (1), (2), (3), (6), (7), and section 561.35 collected within an incorporated municipality shall be returned to the appropriate municipal officer.*

(3) *No tax on the manufacture, distribution, exportation, transportation, importation or sale of such beverages shall be imposed by way of license, excise or otherwise, by any municipality, anything in any municipal charter, special or general law to the contrary notwithstanding.*

Section 5. Section 561.35, Florida Statutes, is amended to read:

561.35 License fees; manufacturers, distributors, exporters.—

(1) Each manufacturer authorized to do business under the beverage law shall pay an annual license tax as follows:

(a) If engaged in the *manufacturing or bottling manufacture* of wines and of nothing else, a state license tax of *one thousand fifty* dollars.

(b) If engaged in the *manufacturing manufacture* of wines and cordials and of nothing else, a state license tax of *two thousand one hundred* dollars.

(c) If engaged in the business of brewing malt liquors and nothing else, a state license tax of *three thousand seven hundred* dollars.

(d) If engaged in the business of distilling spirituous liquors and nothing else, a state license tax of *four thousand seven hundred and fifty* dollars.

(e) If engaged in the business of rectifying and blending spirituous liquors and nothing else, a state license tax of *four thousand twelve hundred and fifty* dollars.

(f) Persons licensed hereunder in the business of distilling spirituous liquors may also engage in the business of rectifying and blending spirituous liquors without the payment of an additional license tax.

(g) All persons licensed under paragraphs (a), (b), (c), (d), and (e) of this subsection shall be deemed manufacturers within the meaning of the beverage law.

(h) There shall be a separate license tax for each manufacturing plant or establishment operated in the state even though the same manufacturer operates more than one manufacturing plant or establishment.

(i) Each distributor who shall distribute beverages containing alcohol of more than one per cent by weight and not more than three and two tenths per cent by weight, in counties where the sale of intoxicating liquors, wines and beers is prohibited, for each and every establishment or branch he may conduct, shall pay an annual state license tax of *one thousand two hundred fifty two hundred* dollars.

(j) Each distributor who shall sell beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight, and wines regardless of alcoholic content, in counties where the sale of intoxicating liquors, wines and beers is permitted, shall pay for each and every such establishment or branch he may operate or conduct a state license tax of *one thousand two hundred fifty two hundred* dollars.

(k) All other distributors authorized to do business under the beverage law shall pay a state license tax of *four thousand twelve hundred fifty* dollars for each and every establishment or branch they may operate or conduct in the state; provided, that in counties having a population of fifteen thousand or less according to the latest state or federal census the state license tax for a restricted license shall be *one thousand three hundred fifty* dollars, but the holder of such a license shall be permitted to sell only to vendors and distributors licensed in the same county, and such license shall contain such restrictions. In such counties licenses without such restrictions may be obtained as in other counties but the tax for a license without such restrictions shall be the same as in other counties. Warehouses of a licensed distributor used solely for storage, located in the county in which license is issued to such distributors, shall not be construed to be separate establishments or branches.

~~(2)(1)~~ Each exporter as defined in section 561.14(1), shall pay an annual state license tax of *five hundred one hundred twenty five* dollars for each and every establishment or branch that such exporter may operate or conduct in this state.

~~(2)~~ Each manufacturer, distributor and exporter shall pay an annual county license tax equal to the state license tax.

(3) All licenses of manufacturers, distributors and exporters shall be issued annually and shall run from October 1 to the succeeding October 1, except that where a manufacturer, distributor or exporter shall begin business after April 1 in any year he may obtain a license expiring on the succeeding October 1 upon the payment of one half the tax for such annual license.

Section 6. This act shall take effect July 1, 1971.

On motion by Senator Trask the following amendment was adopted:

Amendment 4—On page 1, line 4, in title strike lines 4 through 13 and insert:

An act relating to beverage licenses; amending section 561.34, Florida Statutes, providing for revision of the state, county, and municipal license taxes on dealers in alcoholic beverages; repealing section 561.36 and subsection 561.26(2), Florida Statutes; amending section 561.35, Florida Statutes; creating section 561.342, Florida Statutes, providing for the return of a percentage of the state license tax to the counties and municipalities; providing an effective date.

On motion by Senator Trask, by two-thirds vote, SB 9-C as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

Mr. President	Fincher	Knopke	Reuter
Arnold	Gong	Lewis (33rd)	Saunders
Bishop	Graham	Lewis (43rd)	Sayler
Boyd	Gunter	McClain	Scarborough
Brantley	Henderson	Myers	Trask
Broxson	Hollahan	Ott	Ware
Childers	Horne	Plante	Weissenborn
de la Parte	Johnson (34th)	Pope	Williams
Ducker	Karl	Poston	Wilson

Nays—6

Barrow	Deeb	Lane	Stolzenburg
Daniel	Johnson (29th)		

By unanimous consent Senator Beaufort was recorded as voting nay.

On motion by Senator Plante, by two-thirds vote HB 28-C, together with amendments was removed from the Calendar and recommitted to the Committee on Transportation for further study.

On motion by Senator Poston, by two-thirds vote, the Committee on Transportation was granted permission to meet at 1:30 p.m. in Room 31 to consider HB 28-C.

Consideration of HB 27-C was deferred, the bill retaining its place on the Calendar.

Senator Wilson moved that a bill temporarily numbered R-54-C be admitted for introduction and consideration notwithstanding the fact same did not fall within the purview of the call of the Governor. The motion failed to receive the required two-thirds affirmative vote of the membership. The vote was:

Yeas—17

Bishop	Johnson (34th)	Saunders	Williams
de la Parte	Lane	Stolzenburg	Wilson
Graham	Lewis (43rd)	Trask	
Henderson	Myers	Ware	
Horne	Plante	Weissenborn	

Nays—14

Mr. President	Daniel	Johnson (29th)	Pope
Beaufort	Ducker	Knopke	Reuter
Brantley	Gunter	Lewis (33rd)	
Childers	Hollahan	McClain	

Senator Hollahan announced a meeting of the Committee on Rules, Calendar, Privileged Business and Ethics at 1:30 p.m. in Room 12.

On motion by Senator Hollahan, the Senate recessed at 12:03 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—44:

Mr. President	Deeb	Johnson (34th)	Poston
Arnold	de la Parte	Karl	Reuter
Barron	Ducker	Knopke	Saunders
Barrow	Fincher	Lane	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brantley	Henderson	Myers	Ware
Broxson	Hollahan	Ott	Weissenborn
Childers	Horne	Plante	Williams
Daniel	Johnson (29th)	Pope	Wilson

On motion by Senator de la Parte, by two-thirds vote, HB 71-C was withdrawn from the Committee on Ways and Means and placed on the Calendar.

On motion by Senator de la Parte, the Senate resolved itself into a Committee of the Whole for the purpose of considering HB 71-C.

The Senate resumed its session at 4:07 p.m., and was called to order by the President. A quorum present—44:

Mr. President	Deeb	Johnson (29th)	Pope
Arnold	de la Parte	Johnson (34th)	Poston
Barron	Ducker	Karl	Saunders
Barrow	Fincher	Knopke	Sayler
Beaufort	Gong	Lane	Scarborough
Bishop	Graham	Lewis (33rd)	Stolzenburg
Boyd	Gunter	Lewis (43rd)	Trask
Brantley	Haverfield	McClain	Ware
Broxson	Henderson	Myers	Weissenborn
Childers	Hollahan	Ott	Williams
Daniel	Horne	Plante	Wilson

By permission the following reports were received:

REPORTS OF COMMITTEES

The Committee of the Whole recommends the following pass: HB 71-C

The Committee on Transportation recommends the following pass: HB 28-C with 4 amendments

The bills contained in the foregoing reports were placed on the Calendar.

The President recognized Senator Karl to report in behalf of the select committee appointed to advise the chair on a question posed by Senator Ott, namely: under Rule 2.16, which reads (in part): "No bill or resolution upon which no committee action has been taken by the committee or committees of reference or upon which an unfavorable committee report has been filed may be taken up and considered except upon a two-thirds (2/3) vote of the Senators present, which vote shall also be required to favorably report any such bill or resolution to the Senate." Would a majority vote or a two-thirds vote be required to report HB 71-C favorably by the committee of the whole?

Senator Karl: Mr. President, I was one of those who initially read that rule as requiring a two-thirds vote in the committee of the whole, and I'll just share with you the process that I went through in arriving at the other conclusion that I now think is logical. The sentence that caused the trouble reads "No bill or resolution upon which no committee action has been taken by the committee or committees of reference, or upon which an unfavorable committee report has been filed, may be taken up and considered except upon a two-thirds vote of the Senators present". Mr. President, on the face of it that seems to require that if a committee of the Senate has not acted then it would take two-thirds to vote it out favorably from a committee of the whole. I suggest the proper interpretation of that sentence contemplates a standing committee of reference having possession of and control of the bill at the time that the committee of the whole was taking it up . . . and that's the

only logical way you can justify that section of the rule (a two-thirds vote to remove it from that committee) because if you read the whole rule the committee can take up a totally new bill as a committee bill and pass it out by a majority. If a bill is introduced and before being given a committee of reference it is handed over to the committee of the whole it can be reported out by a majority vote. In both of those situations no committee of reference has acted, so to say that if it has once been referred to a committee of reference and then withdrawn that it has a different arrangement than in the other two instances would be illogical, so we read that rule as contemplating that if it has been referred to a committee and it reposes there and the committee of the whole attempts to take it up while it is in the other committee and thereby preempt the committee of reference, then it would require a two-thirds vote to move it out, but if it is not in the committee of reference at the time that the committee of the whole takes it up, it requires only a majority. Now I go a step further, Mr. President, and point out to you that there's a reason for that—that language really is a safeguard to prevent a parliamentary maneuver which, if you'll think through with me, could be a very serious thing. Let's assume this bill is in the Ways and Means Committee and they have no intention of reporting it out, and it would take a two-thirds vote to get it out of that committee. Now without this sentence and without that interpretation I've just suggested, if you could by majority vote, have a committee of the whole take up this bill and vote it out by a majority of the whole then you could preempt that committee of reference and by majority vote do that which you could not do except by two-thirds under the regular rules. And so, Mr. President, it is our opinion, for those reasons, and there may be other ways to go at it, that your ruling was correct—that it only took a majority vote for the committee of the whole to report the bill favorably inasmuch as there was, at the time the committee considered it, no other committee of reference.

Senator Hollahan: In amplification of the point, Mr. President, it's important when you read Rule 2.16 that once the bill is before the committee of the whole it shall be considered, debated, amended and acted upon as a standing committee function. There is no standing committee that operates on a two-thirds vote, it only operates on a majority vote. Therefore, it would just follow naturally that a majority vote is always required for a committee of the whole to perform its function, and that was the unanimous vote of the select committee you sent out, Mr. President.

Mr. President: The chair, speaking to the inquiry, therefore confirms that the committee of the whole could (and did properly) report HB 71-C favorably by a majority vote.

SECOND READING

HB 71-C—A bill to be entitled An act making supplemental appropriations to the 1971 general appropriations act to provide monies for the minimum foundation program K-12; community colleges; capital outlay grades one (1) through twelve (12); amending item 942 of the 1971 general appropriations act; providing an effective date.

—on motion by Senator Horne, by two-thirds vote, was read the second time by title.

Senators Ware and Sayler offered the following amendment which was moved by Senator Ware:

Amendment 1—

On page 1, line 18, section 1 strike "Five million dollars (\$5,000,000)" and insert: \$12,079,000

Senator Horne moved as a substitute motion that the rules be waived and HB 71-C be placed on third reading. The motion was adopted by two-thirds vote and HB 71-C was read the third time by title.

The question recurred on Amendment 1 and the amendment failed.

Senators McClain and Ware offered the following amendment which was moved by Senator McClain:

Amendment 2—On page 3 after line 23 insert the following:

Section 6. (a) No moneys appropriated for educational purposes shall be expended directly or indirectly to inure to the benefit of any employee or student who advocates the overthrow of the government of the United States, the State of Florida, or a state university administration by force and violence, or willfully practices, or advocates with clear intent, the disruption of or interference with the lawful administration or functions of any state college, state junior college or state university.

(b) No moneys appropriated for educational purposes may be used to provide a loan, guarantee of a loan or a grant to any applicant who hereafter has been convicted in any court of record of any crime which involves the use of or the assistance to others in the use of force, trespass, or the seizure of property under control of any state college, state junior college or state university to prevent officials or students at such institutions from engaging in their duties or pursuing their studies.

Renumber subsequent section accordingly.

Senator Weissenborn moved as a substitute motion that the Senate reconsider the vote by which HB 71-C was placed on third reading. The motion failed.

Amendment 2 failed.

Senator Weissenborn moved the adoption of the following amendment:

Amendment 3—On page 3, Section 5, line 19, insert a new Section 5 to read:

Section 5. Insert a new Section 45 on page 108 of the Conference Committee Report on SB 13-C (1971 general appropriations bill) to be in lieu of the present Section 45 and to read as follows:

Section 45. Where any data processing centers or motor pools are established during the 1970-71 and 1971-72 fiscal years pursuant to law, and the necessary adjustments of appropriations and positions have not been provided for, then, notwithstanding the provisions of section 216.292, Florida Statutes, the administration commission may approve the necessary transfers to establish these activities.

Provided, it is the intent of the legislature that the specific assignments of aircraft be terminated, and that as soon as may be practicable such aircraft be disposed of, traded, lease-purchase completed, or in other manner reduced to a maximum of five (5) twin-engine aircraft of good quality; that the five (5) aircraft and pilots be placed in an aircraft pool to be financed from the appropriations in items 336 through 339 of section 1 of this act; that all state officials and employees may utilize such aircraft pool with the governor, and then the Lt. governor and cabinet receiving first priority; that all persons receiving transportation from the aircraft pool be charged a rate not less than ten (10) cents per passenger mile, and that such fees be deposited in the general revenue fund unallocated.

Renumber remaining sections of bill.

On motion by Senator Daniel, by two-thirds vote, debate on the amendment was limited to two minutes per side.

The question recurred on Amendment 3 which failed.

HB 71-C passed and was certified to the House. The vote was:

Yeas—32

Mr. President	Boyd	Daniel	Gunter
Arnold	Brantley	de la Parte	Haverfield
Barron	Broxson	Ducker	Hollahan
Beaufort	Childers	Graham	Horne

Johnson (29th)	Lewis (43rd)	Pope	Scarborough
Karl	McClain	Poston	Trask
Knopke	Myers	Reuter	Weissenborn
Lewis (33rd)	Plante	Saunders	Williams

The Honorable Jerry Thomas
President of the Senate

June 18, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed—

By Representatives Tucker and Miers—

HB 48-C—A bill to be entitled An act relating to Leon County; providing compensation for the judge of juvenile court, pursuant to chapter 39; providing an effective date.

Proof of Publication attached.

By Representative Elmore and others—

HB 61-C—A bill to be entitled An act relating to the City of Valparaiso, Okaloosa County; amending article V section 19, article IX section 39 and article 11 section 3 of chapter 9101, Laws of Florida, being the charter of the City of Valparaiso; providing that the City of Valparaiso may borrow money at a rate not to exceed nine and one half percent (9½%) for the making of civic improvements; providing that the city may issue special assessment certificates bearing an interest rate not to exceed four percent (4%) above prevailing bank interest rates; providing for qualifications for city officers; providing an effective date.

Proof of Publication attached.

By Representative J. W. Robinson and others—

HB 57-C—A bill to be entitled An act relating to Brevard County; amending section 2 of chapter 71- , Laws of Florida (House Bill 2130, 1971 regular session); providing that the net interest cost to the board of county commissioners of Brevard County shall not exceed eight percent (8%) on the sale of certificates of indebtedness issued for the acquisition and construction of county-related projects; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 48-C.

HB 48-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was: Yeas—38 Nays—None

Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Saylor
Barrow	Graham	Lane	Stolzenburg
Beaufort	Gunter	Lewis (33rd)	Trask
Bishop	Haverfield	Lewis (43rd)	Ware
Boyd	Henderson	McClain	Weissenborn
Brantley	Hollahan	Ott	Williams
Broxson	Horne	Plante	Wilson
Childers	Johnson (29th)	Poston	
Daniel	Johnson (34th)	Reuter	

Evidence of notice and publication was established by the Senate as to HB 61-C.

HB 61-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

Yeas—34

Arnold	Brantley	Graham	Karl
Barron	Broxson	Gunter	Knopke
Barrow	Childers	Haverfield	Lewis (33rd)
Beaufort	Daniel	Hollahan	Lewis (43rd)
Bishop	de la Parte	Horne	McClain
Boyd	Ducker	Johnson (29th)	Ott

Nays—11

Barrow	Henderson	Ott	Ware
Bishop	Johnson (34th)	Saylor	Wilson
Deeb	Lane	Stolzenburg	

By unanimous consent, Senator Fincher was recorded as voting yea; Senator Bishop changed his vote from nay to yea.

EXPLANATION OF VOTE

I voted against HB 71-C for three reasons: First: That portion dealing with Section 5 is unconstitutional; second: I disapprove of spending school trust funds. Third: In the past 4 years, even without this supplemental \$12,000,000.00 spending was more than doubled. That's enough!

William D. Barrow, 3rd District

On motion by Senator Hollahan, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

June 18, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed as amended—

By Representatives Tucker and Miers—

HB 64-C—A bill to be entitled An act creating a consolidated charter government for Leon County and the City of Tallahassee; providing general and urban services districts; providing legislative, executive, and judicial branches and providing for the organization, powers, duties, and functions thereof; providing the powers of the consolidated government; providing powers and procedures with respect to budget and financial matters, including the levy of ad valorem and other taxes, expenditures, investments, debt service, bonds and pledges therefor; providing for local improvements, election of officers, retirement and pension systems and miscellaneous matters; providing method of amending this charter; providing for orderly transition of present governmental functions to the consolidated government; providing for a special election to ratify this charter; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 64-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

Yeas—35

Mr. President	Childers	Johnson (29th)	Poston
Daniel	Johnson (34th)	Reuter	
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Scarborough
Beaufort	Graham	Lane	Trask
Bishop	Gunter	Lewis (33rd)	Ware
Boyd	Haverfield	Lewis (43rd)	Weissenborn
Brantley	Hollahan	McClain	Williams
Broxson	Horne	Ott	

Nays—2

Henderson	Plante
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Plante
Poston
Reuter

Saunders
Saylor
Trask

Ware
Weissenborn
Williams

Wilson

Yeas—33

Arnold
Barrow
Beaufort
Boyd
Brantley
Broxson
Childers
Daniel
de la Parte

Ducker
Graham
Gunter
Haverfield
Hollahan
Horne
Johnson (29th)
Karl
Knopke

Lewis (33rd)
Lewis (43rd)
McClain
Myers
Ott
Plante
Poston
Reuter
Saunders

Scarborough
Stolzenburg
Trask
Ware
Weissenborn
Williams

Nays—4

Henderson Lane Scarborough Stolzenburg

Evidence of notice and publication was established by the Senate as to HB 57-C.

HB 57-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was: Yeas—39 Nays—None

Arnold
Barron
Barrow
Beaufort
Bishop
Boyd
Brantley
Broxson
Childers
Daniel

Deeb
de la Parte
Ducker
Graham
Gunter
Haverfield
Henderson
Hollahan
Horne
Johnson (29th)

Johnson (34th)
Karl
Knopke
Lane
Lewis (33rd)
Lewis (43rd)
McClain
Ott
Plante
Poston

Reuter
Saunders
Scarborough
Stolzenburg
Trask
Ware
Weissenborn
Williams
Wilson

Nays—5

Barron
Bishop

Deeb

Lane

Wilson

Evidence of notice and publication was established by the Senate as to HB 59-C.

HB 59-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

Yeas—37

Arnold
Barron
Beaufort
Bishop
Boyd
Brantley
Broxson
Childers
Daniel
Deeb

de la Parte
Ducker
Graham
Gunter
Haverfield
Henderson
Hollahan
Horne
Johnson (29th)
Johnson (34th)

Karl
Knopke
Lewis (33rd)
Lewis (43rd)
McClain
Myers
Plante
Poston
Reuter
Saunders

Saylor
Scarborough
Stolzenburg
Trask
Ware
Weissenborn
Wilson

Nays—4

Barrow

Lane

Ott

Williams

Evidence of notice and publication was established by the Senate as to HB 60-C.

HB 60-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

Yeas—33

Mr. President
Arnold
Barron
Bishop
Boyd
Brantley
Broxson
Daniel
Deeb

de la Parte
Ducker
Graham
Gunter
Haverfield
Henderson
Hollahan
Horne
Johnson (29th)

Johnson (34th)
Knopke
Lewis (33rd)
Lewis (43rd)
McClain
Myers
Poston
Reuter
Saunders

Scarborough
Trask
Ware
Weissenborn
Williams
Wilson

Nays—6

Barrow
Beaufort

Childers
Lane

Ott

Plante

Evidence of notice and publication was established by the Senate as to HB 43-C.

HB 43-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was: Yeas—39 Nays—None

Arnold
Barron
Barrow
Beaufort
Bishop
Boyd
Broxson
Childers
Daniel
Deeb

de la Parte
Ducker
Graham
Gunter
Haverfield
Henderson
Hollahan
Horne
Johnson (29th)
Johnson (34th)

Karl
Knopke
Lane
Lewis (33rd)
Lewis (43rd)
McClain
Myers
Ott
Plante
Poston

Reuter
Saunders
Saylor
Stolzenburg
Trask
Ware
Weissenborn
Williams
Wilson

*The Honorable Jerry Thomas
President of the Senate*

June 18, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed—

By Representative Johnson and others—

HB 47-C—A bill to be entitled An act relating to the salary of the County Judge of Highlands County, Florida, amending Florida Statute 44.12 from 15,500.00 to 19,000.00, providing an effective date.

By Representative Wilson and others—

HB 59-C—A bill to be entitled An act relating to Pinellas County; amending §§2 and 3, the initial paragraph and subsections (a) and (e) of §8, and §19 of chapter 31182, Laws of Florida, 1955; adding clarifying language both as to purpose and jurisdiction of the Pinellas County water and navigation authority; providing procedure for establishment of bulkhead lines; providing an effective date.

Proof of Publication attached.

By Representative Wilson and others—

HB 60-C—A bill to be entitled An act relating to Pinellas County; providing for the establishment of an aquatic preserve; providing restrictions upon the sale and use of submerged lands and waters within the boundaries of the preserve; providing for administration by the board of trustees of the internal improvement trust fund; preserving riparian rights; preserving the authority of the Pinellas County water and navigation control authority; providing severability; providing an effective date.

Proof of Publication attached.

By Representative Redman and others—

HB 43-C—A bill to be entitled An act relating to Hillsborough County; amending subsection (2) of §2 of chapter 71- , Laws of Florida, (House Bill 1928, 1971 session), to provide for and clarify the annual compensation of the judge of the Hillsborough County civil court of record; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HB 47-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

The Honorable Jerry Thomas
President of the Senate

June 17, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed—

By Representative Gorman and others—

HB 3-C—A bill to be entitled An act relating to Orange County, fire control districts; amending subsection (1) of section 2, chapter 67-1821, Laws of Florida, to change number of registered freeholders to number of registered voters required to sign petition; adding subsections (3) and (4) to section 2, chapter 67-1821, Laws of Florida, to provide for designation of alternative methods of assessment; amending section 10, chapter 67-1821, Laws of Florida, as amended by section 2, chapter 69-1380, Laws of Florida, to provide for an alternative method of assessment for the special benefit; amending sections 11, 15, and 18, chapter 67-1821, Laws of Florida, to reflect the alternative method of assessment; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 3-C.

HB 3-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was: Yeas—39 Nays—None

Arnold	Ducker	Knopke	Saunders
Barron	Graham	Lane	Sayler
Beaufort	Gunter	Lewis (33rd)	Scarborough
Bishop	Haverfield	Lewis (43rd)	Stolzenburg
Boyd	Henderson	McClain	Trask
Brantley	Hollahan	Myers	Ware
Broxson	Horne	Ott	Weissenborn
Childers	Johnson (29th)	Plante	Williams
Daniel	Johnson (34th)	Poston	Wilson
de la Parte	Karl	Reuter	

The Honorable Jerry Thomas
President of the Senate

June 17, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed—

By Representative Andrews and others—

HB 31-C—A bill to be entitled An act relating to county judges; amending §44.12, Florida Statutes, providing an annual salary for the county judge of Alachua County; providing an effective date.

By Representative Andrews and others—

HB 30-C—A bill to be entitled An act relating to Alachua County; providing an annual salary for the judge and county solicitor of the Alachua County Court of Record; providing an effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 24-C—A bill to be entitled An act relating to Escambia County; providing for an increase in the limits authorized for compensation to justices of the peace of Escambia County upon resolution of the board of county commissioners of Escambia County; providing an effective date.

Proof of Publication attached.

By Representative Forbes—

HB 26-C—A bill to be entitled An act relating to grand juries; amending section 905.01, Florida Statutes, as amended by chapter 70-339, Laws of Florida, to provide that an elected public official shall not be eligible for service on a grand jury; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 31-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

Yeas—36

Arnold	de la Parte	Johnson (34th)	Reuter
Beaufort	Ducker	Karl	Saunders
Bishop	Graham	Knopke	Sayler
Boyd	Gunter	Lewis (43rd)	Scarborough
Brantley	Haverfield	McClain	Stolzenburg
Broxson	Henderson	Myers	Trask
Childers	Hollahan	Ott	Ware
Daniel	Horne	Plante	Weissenborn
Deeb	Johnson (29th)	Poston	Williams

Nays—3

Barron	Lane	Lewis (33rd)
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By unanimous consent, Senator Barrow was recorded as voting nay.

Evidence of notice and publication was established by the Senate as to HB 30-C.

HB 30-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

Yeas—34

Arnold	Ducker	Karl	Saunders
Beaufort	Graham	Knopke	Sayler
Bishop	Gunter	Lewis (43rd)	Scarborough
Boyd	Haverfield	McClain	Trask
Brantley	Henderson	Myers	Ware
Broxson	Hollahan	Ott	Weissenborn
Childers	Horne	Plante	Williams
Daniel	Johnson (29th)	Poston	
Deeb	Johnson (34th)	Reuter	

Nays—4

Barron	Barrow	Lane	Lewis (33rd)
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Evidence of notice and publication was established by the Senate as to HB 24-C.

HB 24-C, contained in the above message, was admitted for introduction by the constitutional two-thirds vote of the membership. The vote was:

Yeas—34

Arnold	Ducker	Karl	Sayler
Beaufort	Graham	Knopke	Scarborough
Bishop	Gunter	Lewis (43rd)	Trask
Boyd	Haverfield	McClain	Ware
Brantley	Henderson	Myers	Weissenborn
Broxson	Hollahan	Ott	Williams
Childers	Horne	Plante	Wilson
Daniel	Johnson (29th)	Poston	
Deeb	Johnson (34th)	Reuter	

Nays—4

Barron Barrow Lane Lewis (33rd)

The bills contained in the above messages, with the exception of HB 26-C, were read the first time by title and placed on the local calendar.

HB 26-C, contained in the above message, was previously referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

INTRODUCTION

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration:

By Senators Knopke, McClain, Ott and de la Parte—

SB 50-C—A bill to be entitled An act relating to alcoholic beverage licenses; authorizing the issuance of a 4 COP Liquor license to the Egypt Temple Holding Corporation, Inc., in Hillsborough County, Florida, under authority of Chapter 561, Florida Statutes annotated; providing for certain limitations affecting transfer and service; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 50-C.

The vote was:

Yeas—32

Arnold	de la Parte	Karl	Reuter
Barron	Ducker	Knopke	Saunders
Barrow	Graham	Lewis (33rd)	Sayler
Beaufort	Henderson	McClain	Scarborough
Bishop	Hollahan	Myers	Trask
Boyd	Horne	Ott	Ware
Daniel	Johnson (29th)	Plante	Weissenborn
Deeb	Johnson (34th)	Poston	Williams

Nays—5

Broxson	Gunter	Lane	Wilson
Childers			

SB 50-C was read the first time by title and placed on the local calendar.

SB 51-C was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

By unanimous consent Senator Haverfield was recorded as voting yea on the passage of SB 9-C this day and yea on the passage of HB 17-C June 18.

On motion by Senator Hollahan, by two-thirds vote, the Senate adjourned at 5:23 p.m. to reconvene at 10:00 a.m., June 22, 1971.

**LOBBYIST REGISTRATION UNDER SENATE RULE NINE
JUNE 14, 1971 THROUGH JUNE 18, 1971**

<i>Name and Address</i>	<i>Entity Represented and Address</i>	<i>Particular Legislation Involved</i>	<i>Direct Business Association or Partnership with Legislator</i>
Beatty, George Wood 1200—18th St., N. W. Washington, D. C. 20036	General Development Corp. Bayshore Dr. Miami	Corporate income tax	None
Matthews, Walter Hubert 6009 N. W. 7th Ave. Miami 33127	Minority Contractors Assn., Inc. Same address	Legislation affecting the Minority Contractors Assn., Inc.	None
Sams, Gary Paul 900 Barnett Bank Bldg. Jacksonville 32201	ITT Levitt Development Corp. 28 W. Flagler St. Miami	General	None